

Agenda
Charter Review Commission
Regional Committees Workgroup Meeting #1
Thursday, January 31, 2008
Chinook Building – Room 121-123
5:00 pm-7:00 pm
Co-Facilitators: Gary Long and Mike Wilkins

Regional Committees Workgroup Objective:

The purpose of the work group is to find common ground for charter amendments which would make the regional committees more effective, which would have the support of most stakeholders, and which would, therefore, have the greatest chance for voter approval.

Ground Rules:

1. Share the floor – be brief in order to allow everyone a chance to speak
2. Allow for caucusing if necessary
3. Ask for clarification, if a speaker's point or proposed charter change is not clear.

5:00 pm – 5:15 pm Opening remarks, introductions and discussion of Ground Rules (Gary and Mike)

5:15 pm – 5:30 pm Work plan and purpose

5:30 pm – 6:10 pm Discussion: Stakeholders' perceptions of problems with current governance structure and process of regional committees.

Break*

6:15 pm – 6:45 pm Continuation of Discussion

6:45pm- 7:00pm Debrief
- Summary
- Proposed agenda items for the next meeting

Next meeting will be Friday, February 15, 5:00 pm – 7:00 pm

* Meals will be provided at the beginning of the meeting. Parking vouchers will also be provided for workgroup members who park in the King County (Goat Hill) Garage across from the Chinook Building on 5th and Jefferson.

SUMMARY OF CHARTER ISSUES -- REGIONAL COMMITTEES

JANUARY 31, 2008

1. Whether to change County versus City voting power from a current 50/50 balance to one that gives greater relative voting power to cities.
2. Whether to shrink or increase number of committee members (Note: This could be accomplished without altering relative voting power of County versus City "blocks" either by allowing smaller fractional votes for cities/districts or by allowing multiple votes by Council members.)
3. Whether to allow alternates to attend and vote and, if so, under what ground rules.
4. Whether to alter the mechanism for appointing city representatives. (Note: Among Seattle, Bellevue, and Suburban Cities Association, no consensus has been reached on whether or how to give Bellevue appointment powers).
5. Whether to add tribal representation, either voting or non-voting, to any of the committees.
6. Whether to add Snohomish County representation, either voting or non-voting, on the Water Quality Committee for those parts of Snohomish County that are served or affected by King County sewage treatment expansion.
7. Whether to reduce sewer district representation on the Water Quality Committee.
8. Whether to clarify or change the scope of committees' duties.
 - a. Under current charter, "regional policies and plans" are within their purview; budgets and operations are not. According to public testimony, disagreements have occurred most frequently over levels of bus service and the extent to which annual budgets reflect the intent of multi-year bus service plans.
 - b. Should the Regional Policy Committee be assigned specific authority to review and report on the County's progress toward reducing city residents' subsidy to urban unincorporated King County residents?
9. Whether to empower committees by simple majority vote to:
 - a. Select their chairs or co-chairs;
 - b. Approve their own work programs and agenda within their charter purviews; and
 - c. Send proposed motions and ordinances initiated by the committees to the full Council, provided the subject matter is within the committees' charter purview.
10. Whether the full Council should be required to vote on committees' proposed legislation and, if so, within what time frame.
11. Whether the County Executive or Council should be obligated to provide oversight reports requested by committees to evaluate policy, plans and levels of service.
12. Whether to clarify in the Charter the distinctions among:
 - a. the County's regional service responsibilities to all its residents;
 - b. its local service responsibilities to its rural, unincorporated residents which are long term in nature because residents living outside the urban growth boundary do not have the possibility of joining a city or incorporating to increase their service level; and
 - c. its local service responsibilities to its urban, unincorporated residents which are transitory in nature to the extent State and County policies encourage annexation or incorporation as the means to securing an "urban" service level.
13. Whether to consider the City of Seattle's new water supply governance structure as a model for King County.
14. Whether to amend the charter to make Regional Committee provisions more general and, at the same time, recommend an ordinance that would incorporate the specific powers and duties of the committees.



King County
Ron Sims
 King County Executive

CHARTER REVIEW COMMISSION

Mark Yango
 Charter Review Coordinator

701 Fifth Avenue, Suite 3210
Seattle, Washington 98104

King County Charter Review Commission
Regional Committees Workgroup
Briefing Paper – Regional Committees
King County Charter Section 270
Thursday, January 31, 2008
 Chinook Building, 5:00 pm – 7:00 pm

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Background

As a result of voter approved propositions in the late 1950s and early 1970s, the Municipality of Metropolitan Seattle (Metro) was created and assumed the powers to operate sewage treatment and public transportation systems in an area whose boundaries were co-terminus with King County's. The newly formed regional government was governed by a federated legislative body composed of elected officials from King County government, city governments within King County and sewer districts within King County. The service area for sewage treatment has since been expanded by contract to include part of Snohomish County.

In 1990, the U.S. District Court for the Western District ruled that the federated governing body of Metro violated the one person, one vote principle of the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. Cunningham v. Municipality of Metropolitan Seattle, 751 F.Supp. 885 (1990). As a result, the elected leaders from local governments who formed Metro's governing body convened a "summit" to discuss the court mandated changes to Metro's governance. The leaders decided that, rather than modify the governance structure of Metro or create a new government entity with directly elected officials, King County would assume the powers and duties of Metro. The existing King County government would satisfy the "one person, one vote" test of representation.

In 1992, voters approved a proposition that authorized King County to assume the powers and duties to operate sewage treatment and public transportation. Three Regional Committees were established by charter amendment as part of the merger of King County and Metro:

1. the Regional Water Quality Committee (RWQC) to consider regional policies and plans affecting sewage treatment and related WQ issues;
2. the Regional Transit Committee (RTC) to consider regional policies and plans affecting public transportation; and
3. the Regional Policy Committee (RPC) to consider other kinds of regional policies and plans.

The compromise was a deliberate attempt to preserve some elements of the federated governance structure of the old Metro, i.e., inclusion of officials from cities and sewer districts among committee membership. Because, among other reasons, the Regional Committees were advisory to the King County Council, the federated composition of the committees did not have to meet the constitutional test of "one person, one vote."

The equal number of King County Council members and other government representatives on the committees was intended to give both the appearance and the substance of balance in voting power to each of the two sets of members. Despite passage of the initiative that reduced the number of King County Council from 13 to nine members, the size and composition of the Regional Committees has remained the same. While the number of councilmembers has decreased, the number of bodies on which they serve has increased, with the result that a substantially greater time commitment is required of each councilmember than before the Council was downsized.

In brief summary, key components of the political compromise embodied in the Charter language creating the Regional Committees were:

- Equal voting power between directly elected King County Council members and elected officials of cities and sewer districts appointed to serve on the committees;
- Scope of subject matter within the purview of the committees limited to "regional policies and plans" which in application has excluded budget, operational, labor and personnel matters; and
- Requirement for re-referral of proposed legislation back to a Regional Committee if the full council votes to amend legislation proposed by the committee.

Amending the Charter to Improve Regional Committees

The 1996-1997 Commission noted structural and attitudinal problems that were preventing the Regional Committees from functioning as forums for regional issues. It recommended the following:

1. Allow the appointing body to designate alternate representatives to the Regional Committees.
2. Allow the Regional Committees to select their own chair and establish their own operating procedures.
3. Delete the term "countywide" to avoid confusion with the term "regional" which is also used in Section 270.
4. Allow the Regional Committees to initiate their own legislation.
5. Require the Metropolitan King County Council to respond to Regional Committee recommended ordinances within 90 days (amend, reject or approve) or the matter would be referred to the voters.

By unanimous vote, the Commission recommended these Charter amendments to the King County Council for placement on the ballot in November 1997. The Council took no action on these recommendations.

With respect to the existing Composition of the Regional Committees, as set forth in Section 270.10, each Regional Committee consist of 12 voting members, six of whom are from the County Council appointed by the chair of the council. These six members include councilmembers from districts that have residents living in unincorporated areas. The remaining membership on the Regional Committees is composed of the following:

For the Transit Committee and the Regional Issues Committee

- Six members that are local elected city officials appointed from and in proportion to the relative population of:
 1. The city with the largest population in the county appointed by the legislative authority of that city; and
 2. The other cities and towns in the county.

For the Water Quality (WQ) Committee

- Two members appointed by the special purpose districts providing sewer service in the county in districts representing a majority of the population within the county
- Four members from local government appointed from and in proportion to the relative population of
 1. The city with the largest population in the county appointed by the legislative authority of that city; and
 2. The other cities and towns in the county.

Cities, good government groups and individual citizens have raised concerns that the Regional Committees are not working to meet their intended objectives, that is, to give cities and sewer districts a substantive voice in the consideration of regional policies and plans. Most of the amendments proposed by citizens during the CRC's public outreach process called for strengthening the role of these groups on the Regional Committees. In addition, the CRC heard comments arguing for the inclusion of two American Indian Tribes and parts of Snohomish County served or affected by sewage treatment capital expansion and operations.

Finally, the CRC heard from King County Councilmember Larry Phillips representing the King County Council about the need to lower the number of councilmembers on each regional committee while maintaining the balance of voting power between councilmembers and other regional committee members. Councilmember Phillips said he suggested this change because of the increased time commitment required of each councilmember as a result of the downsizing of the Council and the increasing number of governing bodies on which councilmembers are being called upon to serve.

Charter amendment proposals for improving Regional Committees fall into five broad categories:

1. proposals for increasing the authority of the Regional Committees;
2. proposals for making the Regional Committees more representative;
3. proposals for making Regional Committees more efficient and responsive;
4. a proposal to decrease the size of Regional Committees while maintaining the balance of voting power on the committees; and
5. proposals for expanding the number of cities and constituent interests with more non-county seats.

1. Proposals for increasing the authority of the Regional Committees

The CRC heard comments about the need to increase the autonomy and authority of the Regional Committees. Some speakers at the subcommittee's November 5th meeting recommended that the Charter spell out some of the structures of the Regional Committees and that the WQ Committee be restructured and possibly modeled after the city of Seattle's Operating Board. Citizens and representatives of organizations made three specific recommendations:

A. Allow each Regional Committee to select its leadership

The Charter is silent on this subject. Since the creation of Regional Committees, the chairs have been selected by the King County Council as part of its annual process during which it selects Council Chair, Vice Chair and other standing committee chairs and vice chairs. The Suburban Cities Association (SCA) and some members of the public at large have proposed that each Regional Committee select its own chair and vice chair, or to have co-chairs—a member from Council and a member selected by non-county members.

On this issue, the Council is expected to continue to support a councilmember serving in the capacity of chair. According to Councilmember Phillips, the designation of a councilmember as chair has functioned well, and, in fact, the Regional Policy Committee has a role in selecting its chair.

B. Allow each Regional Committee to develop its own work program

The Charter is silent on how work programs are approved. The SCA has proposed that the Regional Committees set and approve their own work programs. While there is clear Charter language concerning powers and duties of Regional Committees to address “proposed ordinances and motions” upon referral by the council, the Charter is less than clear in describing Regional Committee authority to initiate work programs that have not been referred by the full council. In addition, the City of Bellevue recommends that Regional Committees be empowered to create and approve their own work plans

C. Mandate full King County Council consideration of and vote on all legislation recommended by Regional Committees

The City of Bellevue recommends that the Charter be amended to clarify the role and responsibility of Regional Committees to initiate legislation. The Charter contains no explicit requirement that the Council take action on proposed legislation recommended by a Regional Committee. The Charter language on powers and duties of Regional Committees requires the full council to refer back to a Regional Committee any amendments the full council wants to make to legislation reviewed or proposed by that committee before the full council takes final action (270.30). The public expressed concern, however, that the King County Council in practice simply “pocket vetoes” legislation proposed by Regional Committees by refraining from taking any action. In consultation with Council, the Regional Governance Subcommittee may consider Charter amendments that accomplish the following:

- Give Regional Committees the explicit right to initiate legislation as part of their requested right to approve work plans; and

- Obligate the full council to consider and bring to a vote legislation proposed by Regional Committees.

Regarding the concern that the Council is not responsive to Regional Committees and the suggested need for an ordinance to require the Council to consider Regional Committee recommendations within a mandated timeframe, Councilmember Phillips said that he is not aware of this being an issue in the RWQC, the committee with which he is most familiar. Regarding the issue of whether the scope of responsibility of the Regional Committees should be expanded, Councilmembers Phillips stated that the Regional Committees have been heavily involved in water quality issues, and that regional plans and policies are fair game for the Regional Committees, but that operational and budget issues are not appropriate issues for the Regional Committees to consider. Operational and budget issues are within the purview of the Council. Mrs. North proposed that suitable specifications could be established by ordinance and the Charter amended to compel the council to respond to otherwise legitimate Regional Committee concerns.

2. Proposals for making the Regional Committees more broadly representative and/or altering the balance of voting power within the Regional Committees

In the November 5th meeting of the Regional Governance Subcommittee, members heard presentations by six spokespersons of organizations that have vested interests in representation on Regional Committees (Appendix 1). Several of the speakers encouraged the CRC to amend the Charter in ways that would enhance representation of cities and sewer districts on the Regional Committees. In addition, the CRC heard testimony from the public about the need to increase the representation on Regional Committees. Councilmember Phillips stated that whatever reforms the CRC recommends, it is important to preserve the balance of voting power that is currently in place, while maintaining and facilitating broader representation.

Recommendations included the following:

- A. Reduce King County Council seats on the Regional Committees, since it acts as final arbiter of any recommendations put forth by the Regional Committees (SCA);
- B. Identify Bellevue as a unique municipality that deserves a seat on each of the Regional Committees (Bellevue, Seattle);
- C. Consider structure and operations of each of the three Regional Committees as distinct relative to roles and responsibilities (Seattle);
- D. Preserve the collective power of the county municipalities by not giving Bellevue a voting position on the Regional Committees (SCA);
- E. Maintain the current Charter language with respect to selection of special district representation and ensure that all King County sewer districts are represented on the WQ Committee;

- F. Preserve the level of sewer district representation while providing opportunities for Tribal and Snohomish County participation without voting rights (Sewer Districts); and
- G. Downsize the Regional Committees while maintaining relative voting power, possibly by allocating ½ votes to some entities in order to preserve the balance of voting power, while and increasing the number of entities represented (Councilmember Phillips).

The CRC heard testimony on four recommendations in particular. The following provides detailed information about these recommendations and their implications:

- Add tribal representation to one or more Regional Committee(s)

On the issue of which Regional Committee(s) should have tribal representation, the CRC could recommend adding representation to any one or all of the committees. The extent to which tribes have an interest in various committees is unknown. Suburban Cities oppose the inclusion of tribal representation since the tribes are not local governments, but sovereign entities within the federal system. They may have an interest in the Regional WQ Committee because sewage treatment affects tribal fisheries. In addition, they may have an interest in the Regional Policy Committee because it may consider regional open space and other regional issues which may affect tribal land and animal habitat.

On the issue of how to select tribal representatives, if there is a consensus to do so, there are at least two alternative approaches: Allow tribes to pick one person to represent all tribes who assert treaty rights in King County; and allow each tribe to appoint a member to the regional committee. The most difficult issue is whether to add tribal representation as non-voting or voting members. Adding voting membership has significant implications for the voting balance that was established in the original composition.

- Add representation from south Snohomish County, possibly reducing existing sewer district representation on the Regional Water Quality Committee

The County Executive, through the Department of Natural Resources and Parks, has proposed adding one individual to represent the interests of that area of south Snohomish County that is served and/or affected by King County's sewage treatment capital expansion and operation. Not only does the existing service area for the King County wastewater utility include portions of Snohomish County, King County is constructing its third major wastewater treatment facility in Snohomish County. This proposal could reduce existing sewer district representation from two seats to one seat, so that the overall size of the voting membership would be unchanged. There has been some question regarding whether the State Metropolitan Municipal Corporation enabling statute and other applicable laws would allow membership from outside King County's boundaries. While there is no clear direction on this issue provided in current

law, it can generally be said that the degree of legal risk would be in direct proportion to the member's authority to affect legislation involving metropolitan functions.

Other proponents of Snohomish County representation, which include the City of Bellevue, argue that Snohomish County membership is justified in part by the projected increases in share of sewer service provided inside Snohomish County and decreases in share of service to King County sewer districts. According to representatives of the sewer districts, however, that increase of nine percent of the next 20+ years is not significant enough to justify a voting role in Regional Committees. King County sewer districts oppose providing Snohomish County a seat on the Water Quality Regional Committee if it requires a reduction in sewer district voting membership.

One alternative might be to preserve the current level of sewer district representation and add Snohomish County representation to the committee as non-voting. This approach would avoid upsetting the existing balance of voting power. It would likely not satisfy Snohomish County interests in securing a seat at the table.

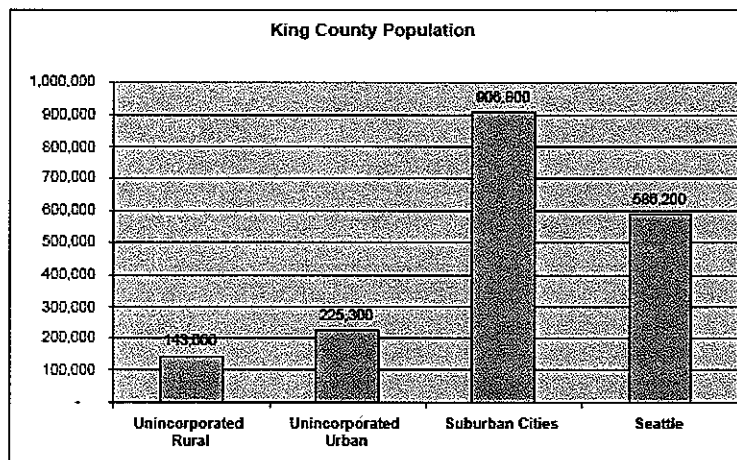
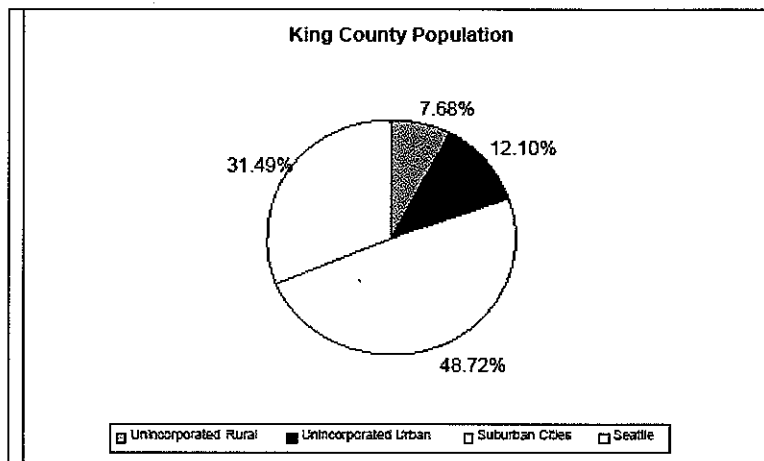
- Reduce the total number of committee members

Councilmember Phillips proposed that the committee sizes be reduced while maintaining the balance of voting power; this was supported by the City of Bellevue. Reducing the membership of the Regional Committees from 12 to 10 or eight members and reducing to three members King County Council representation, while reducing the time commitment required of the nine-member King County Council, would reduce their relative voting power by half, which they may oppose. If a reduction were proportional, i.e., if city and sewer district representation were also reduced, these interests would likely oppose the change.

- Amend the Charter to alter the existing composition of Regional Committees

A number of recommendations were made about how the composition of the Regional Committees could be changed to make possible broader representation. An additional criterion for Regional Committee could be based on relative populations of King County subunits: Unincorporated rural, unincorporated urban, suburban cities, and Seattle. The six seats for suburban jurisdictions could be allocated by population. The following graphs show the various populations of subunits in King County:

**Subunit population of King County
2007**



Regional Governance Subcommittee -- Regional Committees Issues
Source: King County Office of Management and Budget 2007

The City of Bellevue proposed making the Regional Committees representative of different subunits of the county. Bellevue recommended as a possibility the following allocation of a total of 13 seats¹:

- Three seats to the King County Council, representing the county at large;
- Three seats to the City of Seattle;
- One seat to Bellevue as Metropolitan City²; and
- Six seats for suburban jurisdictions chosen by the current method in the Charter

¹ Letter from John Chilminiak, Deputy Mayor of Bellevue, November 20, 2007

² Bellevue recommended that cities that reach a percentage of county population be designated as metropolitan cities and eligible for a seat on the Regional Committees

In contrast, the sewer districts proposed the following composition for the WQ Committee for a total of nine seats:

- Three seats to the King County Council, representing the county at large
- Two seats to the City of Seattle
- Two seats to the SCA
- Two seats to the Sewer Districts

In written testimony summary, the sewer districts indicated that this composition was supported by members of the WQ Committee, including cities of Seattle and Bellevue, as well as the SCA.³ It is not clear, given the recommendation above, whether Bellevue takes issue with the sewer district's proposal for composition of the Regional Committees.

Finally, Councilmember Phillips recommended the following partial composition for an indeterminate number of seats on Regional Committees:

- Three seats to the Council, representing the County at large; and
- Three seats to the SCA and any other entities, with the possibility of fractional votes to allow broader representation.

In response to a suggestion that the charter be amended to allow the structure of the Regional Committees be prescribed by ordinance rather than by charter, Councilmember Phillips cautioned that voters will tend to oppose legislation that does not provide a measure of certainty. He therefore recommended that if a charter amendment were proposed along the lines suggested, a complementary ordinance should be proposed at the same time so that it can be vetted by stakeholders before it goes to the ballot.

It is unclear what the composition of Regional Committees should be in order to ensure representation. Nevertheless, any Charter amendments could defer to ordinance the specific allocation of seats while identifying specific criteria for Regional Committee composition.

3. Other proposals for changing Regional Committees

The SCA had additional proposals for changing Regional Committees. The King County Council has had a long standing practice of referring proposed legislation to more than one committee, and this has applied to some legislation referred to Regional Committees. SCA proposed that the King County Council establish clear criteria for dual referrals consistent with the intent of the Charter provisions for the Regional Committees.

In addition, the SCA recommended that the Charter be amended to assign review of policies and standards for levels of local services in urbanized unincorporated King County to the Regional Policy Committee (SCA). The intent of this proposal is to

³ Letter from Tom Peadon, General Manager, Coal Creek Utility District, November 5, 2007 (letter received November 26, 2007)

facilitate phasing out of the subsidy of services to urbanized, unincorporated King County provided by the taxpayers and rate payers of cities. According to SCA, the King County Budget Office has documented a sizeable subsidy. So long as property owners and voters in urbanized, unincorporated King County receive services in excess of the taxes and fees they pay, they will have little incentive to approve annexation measures. Sonny Putter, SCA representative argued, however, that issues of annexation cannot be addressed in the Charter.

Recommended Process for Advancing Proposals to Improve Regional Committees

Edited from Mike Wilkins' and Gary Long's reports to members
of the Regional Governance Subcommittee

Representatives of the County Council, cities and sewer districts should negotiate an agreement. This would require the following:

- an ordinance detailing the substantive portfolio and operating procedures for the Regional Committees and their relationships to the full Council; and
- an amendment eliminating much of the detail about Regional Committees that is currently in the Charter. [Note: The cities oppose moving any material details from the charter to an implementation ordinance.

Reasons for this approach include the following:

- a detailed set of Charter amendments prepared unilaterally by the CRC and presented to the County Council is not likely to be placed on the ballot and/or to get voter approval;
- a negotiated agreement could result in a ballot proposition and a corollary ordinance which would have the support of most, if not all, the stakeholders before the election.
- This would make possible a package of amendments, some in the Charter and others in a companion ordinance that gives the County Council some of its desired changes. For example, the County Council wants Charter amendments that shrink the number of County Council members who serve on the committees and that increase the time period between Executive delivery of a proposed budget and Council approval of a budget. The latter is not directly related to regional committees but it could be included as part of a package. The cities want changes that strengthen the advisory roles of the three regional committees.

Changes to the Regional Committees composition (by Charter amendment or corollary ordinance):

- a) Reduce from 12 to six members the size of the Regional Committees with the same relative voting strength and with modifications allowing city and special districts to more than three members but with reduced vote weight (.25 instead of .5). The latter would allow cities and districts to retain the same number of individual representatives without affecting the original balance of voting power.
- b) Clarify the advisory role of the committees and allow larger number of non-county seats to achieve greater involvement in regional governance.

- c) Add voting representation to the Regional WQ Committee for Snohomish County, part of which is a customer of and impacted by the County's sewage treatment system.
- d) Reduce the voting representation of sewer districts on the WQ Committee in recognition that the relative size of their "retail" sewage collection systems is diminishing while south Snohomish County's and most cities' is increasing. If this kind of change is approved in conjunction with Councilmember Philips' proposal to shrink the size of committees, the same kind of fractional voting power would apply.
- e) Add tribal representation to one of more of the committees. Given the unique legal status of tribes and the desirability of maintaining the overall voting balance in the original agreement which led to the creation of the regional committees, the tribal representation could be added with non-voting status.

Changes to the Regional Committees procedures to strengthen advisory roles (by Charter amendment or corollary ordinance):

- a) Allow regional committees to elect their own chairs and vice chairs, or have co-chairs. Unlike the County Council's standing committees which are comprised entirely of directly elected County Council members and therefore should be subject only to the Council's rules on selection of committee leaders, the regional committees were created in large part to give voice to other stakeholder local governments.
- b) Allow regional committees to approve their own work programs for the same reasons as above. Alternatively, allow them to create their own work programs, and have Council approve them at the beginning of each year.
- c) Allow regional committees by majority vote to initiate motions and ordinances that the full Council will consider and take to a vote, provided that the subject matter stays within the bounds of "regional plans or policies."
- d) Give the Regional Policy Committee specific charge of reviewing and making recommendations on policies governing service standards and levels to urban, unincorporated King County, i.e., the areas that could be annexed to cities. Such policies would guide the preparation and adoption of "local service" budgets for urbanized, unincorporated county areas.

Conclusion

The public and stakeholder organizations regard the Regional Committees as having unrealized potential to advance the regional interests of King County and its cities and special districts. The primary proposals for improving Regional Committees include increasing their authority, making them more representative, and making them more efficient and responsive. Elected officials need to meet directly to see if they can come to agreement on specific issues and language to amend the charter to improve the governance structure and process of regional committees.

Appendix I: Positions of Stakeholders (as presented at the November 5, 2007 meeting of the Regional Governance Subcommittee and other communications)

Deputy Mayor John Chelminiak representing the City of Bellevue [see attached recommendation letter]

Sonny Putter representing the Suburban Cities Association [see attached recommendation letter]

- Supports reducing representation of the King County Council, since its position is given special weight by its role as final arbiter of any recommendations put forth by the Regional Committees;
- Opposes Bellevue having a position on the Regional Committees distinct from the SCA, because it dilutes the collective power of county municipalities; and
- Supports charter changes implementing the BATF and urban transition.

Tom Peadon, Coal Creek Utility District (CCUD) representing King County Special Districts of the Washington State Association of Sewer and Water Districts: [see attached recommendation letter]

Councilmember Richard Conlin, Seattle City Council [see attached recommendation letter]:

- Supports ensuring sufficient representation of cities and sewer districts by reducing representation of the King County Council;
- Recommends variable treatment of each of the three Regional Committees, since each has distinct roles and responsibilities; and
- Proposes that the power and authority of committees be increased and that the WQ Committee be restructured and possibly modeled after the city of Seattle's Operating Board.

Mian Rice, City of Seattle (see attached recommendation letter from Mayor Nickels):

- Supports giving Bellevue a voice on the Regional Committees due to its prominence in the county;
- Identifies as a main challenge how to fill seats on the Regional Committees if King County Council representation is reduced; and
- Promises to transmit a formal position from the mayor and the city council within the week.

City of
Bellevue



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November 20, 2007

Bryan Glynn and Doreen Cato
Co-Chairs, Regional Governance Committee
Charter Review Commission
Attn: Mark Yango, Office of Executive Sims
701 5th Ave, Suite 3210
Seattle, WA 98104

Dear Co-Chairs Glynn and Cato:

I am writing to follow-up on my testimony at your November 5th meeting providing the Bellevue Council's recommended changes to the King County Charter for consideration by the Regional Governance Committee and the Charter Review Commission. The regional committees serve a valuable function in bringing the cities and County together to discuss areas of mutual interest and participate jointly in regional policy and planning decisions. Bellevue would like to see the Charter clarified and strengthened to ensure a meaningful and expanded voice for cities on the regional committees.

The implementation of the Growth Management Act has changed the landscape of King County since the merger of Metro and King County. The increase in the number of cities, annexation of unincorporated areas, growth of the incorporated population, and the role of metropolitan growth centers like Bellevue were not anticipated at the time of the merger. The structure of the regional committees should be modified to recognize the shift in population and the critical role of urban growth centers.

Bellevue recommends the following:

- Maintain specific language for composition and responsibilities of the regional committees in the Charter itself to ensure the integrity of the purpose of the committees.
- Support the County Council's request to reduce the number of County seats to 3 on each committee.
- Increase the number of seats for cities to reflect the higher incorporated population, and provide a membership structure that is roughly proportionate to the actual distribution of County/city population:
 - Provide seats for metropolitan cities to reflect changes brought about by the Growth Management Act.
 - One possible allocation of seats could be as follows: 3 seats for the County, 3 seats for Seattle, 1 seat for Bellevue as a Metropolitan City, and 6 seats for suburban jurisdictions chosen by the current method in the Charter, for a total of 13 seats.
 - Allocate a seat to specific cities once they reach an established percentage of the population (such as 5% of the total population in the County or 10% non-Seattle population) or are designated as a Metropolitan City.

City of Bellevue offices are located at 450 - 110th Avenue N.E.

November 20, 2007
Co-Chairs Bryan Glynn and Doreen Cato
Regional Governance Committee
Charter Review Commission
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- Snohomish County sewer districts that are wholesale customers of King County Wastewater should be eligible for appointment to the Regional Water Quality Committee.
- Empower the regional committees to create and approve their own work plans.
- Clarify the role and responsibility of the regional committees to initiate legislation.

Thank you for taking the time to consider Bellevue's recommendations regarding the regional committees. Please call Diane Carlson, Intergovernmental Relations Director, at 425-452-4225 if you have any questions. She will be in contact with staff from the Commission, Seattle and Suburban Cities Association regarding the Commission's continued discussion of these issues.

Sincerely,



John Chelminiak
Deputy Mayor

cc: Mike Lowry, Co-Chair, Charter Review Commission
Lois North, Co-Chair, Charter Review Commission
Bellevue City Council
Steve Sarkozy, Bellevue City Manager



Suburban Cities Association
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Phone 206 433 7168
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September 20, 2007

To: Mike Lowry and Lois North, Co-Chairs, King County Charter Review Commission
From: Karen L. Goroski, Executive Director
RE: SCA Recommendations for the King County Charter

On behalf of the 37 city members of the Suburban Cities Association (SCA) I am pleased to forward to you the following recommendations for changes in the King County Charter.

The process used by SCA to arrive at these recommendations included establishment of a task force, solicitation of recommendations from the electeds and the staff of member cities, vetting of proposed SCA recommendations at the SCA Public Issues Committee with average attendance of 25 members cities, and adoption by the SCA Board of Directors. This was completed last evening.

SCA has grouped our recommendations based on the perspectives of our members.

1. Annexation/urban transition

- a. *There should be a mechanism, such as bonding with annexation that will allow the debt burden to be transferred from County to City in a manner that can be approved by both parties.*
- b. *The County should create and actively implement a strategy to encourage the support of local PAA residents for annexations. In doing so, the County should acknowledge that existing annexation law limits a City's ability to annex an area without the sufficient support of property owners and/or voters.*
- c. *Land developed in PAA's should be compatible with the comprehensive plan and development standards of the City designated to annex the area. The Cities and the County should work cooperatively to find ways to condition new development in a PAA on meeting the City's standards and first agree that no further development would take place except at the City's standards.*
- d. *The executive branch should be required to consult with council members on issues that directly affect their districts within UGAs and PAAs.*
- e. *The County should phase out use of urban subsidies to supply urban level services in the urban unincorporated area. Proposed service policies and standards should be reviewed by the Regional Policy Committee (RPC).*
- f. *The King County Charter needs to clearly define the differences among "urban", "urban unincorporated" and "rural" areas in King County. Currently discussions center on "rural" and "urban" and "urban unincorporated" is ignored.*
- g. *SCA Supports the Charter's reference for desirability for intergovernmental contracting and supports language that would bar the county from entering into labor agreements that restrict the opportunity to create effective local governmental services*

2. Regional committees

Page 1 of 2

- a. Regional Committees shall select their chair from among their membership
- b. Each regional committee shall have final authority over their yearly work plan.
- c. The Metropolitan King County Council should be required to establish clear criteria for dual referrals consistent with the intent of the Charter provisions for the Regional Committees.

3. County-wide Special Purpose Districts

- a. Individuals elected to the governing bodies of county-wide special purpose districts should stand for primary or general election instead of elections with limited access to polling places.

4. Good Government

- a. As the size of King County service areas decrease services should be adjusted accordingly.
- b. Tribal issues are a matter of local concern and King County should encourage the collaboration between local jurisdictions and the tribes.
- c. SCA recognizes the importance of rural governance and the need for the county and cities to work collaboratively to ensure the sustainability of rural unincorporated King County.
- d. SCA recommends that there be urban unincorporated transitional committees in the urban unincorporated areas. The Charter did not intend for there to be any kind of government structure in urban unincorporated areas.
- e. The Charter should exclude contract matters relevant to the King County Sheriff
- f. The Metropolitan King County Council positions be changed from partisan to non-partisan.
- g. The charter review process should be amended so that the recommendations of the commission must be submitted to the voters as drafted by the commission. This new provision will strengthen the role of the charter review commission. It will guarantee that the work of the commission will be reviewed by the voters
- h. Citizens should be permitted to amend the charter through the citizen initiative process by means of a super majority vote. This option creates a more responsive government which allows the public to submit charter amendments to the voters through the initiative process.
- i. King County Separate the county regional budget which includes funding for services for all residents of King County including its urban residents, from the local service budget. Currently, there is confusion and frustration generated by the complex revenue and expenditure stream. Adding language which separates the regional from local budgets would empower citizens to understand the county government and assure that past conflicts with local municipal governments would be reduced. This would help create the information system needed to facilitate urban transitions.

If you have any questions please contact me (Karen@suburbancities.org) or Councilmember Sonny Putter (sonny.putter@prodigy.net).

Thank you for considering the views of the Suburban Cities Association.

Cc: Members of Charter Review Commission
Sonny Putter, Councilmember, Newcastle, Chair of SCA Charter Review Task Force
Mark Yango

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Page 2 of 2



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November 26, 2007
07-4-41-WS

Mr. Bryan Glynn, Co-chair
King County Charter Review Commission
Regional Government Committee
Executive Office
Columbia Center
701 Fifth Ave., Suite 3210
Seattle, WA 98104

Re: Coal Creek Utility District November 5, 2007 Testimony Summary

Mr. Co-chair and Members of the Committee:

I would like to express our appreciation for the opportunity to meet with the Regional Government Committee on November 5, 2007, to address a number of important issues regarding the Regional Water Quality Committee (RWQC).

In response to various recommendations by representatives of the King County Council and Department of Natural Resources and Parks (DNRP) to alter the composition of the RWQC membership, I would like to reiterate the positions firmly supported by the Board of Commissioners of the Coal Creek Utility District and the membership of the Washington Association of Sewer and Water Districts (Section IV, King County). We strongly urge you to consider these proposals to ensure balanced and continued representation of the special purpose districts on this King County regional committee, as defined by the King County Charter.

Sewer District representation on the RWQC should not be reduced and Snohomish County should not be given a voting position on the RWQC. Of the 12 voting members on the RWQC, Sewer Districts providing sewer service in King County representing a majority of the county population served by districts appoint two members in a manner determined by the districts. (KCC 270.20). The two sewer district members are presently appointed by Section IV of the Washington Association of Sewer and Water Districts (Section IV consists of water-sewer districts in King County).

Coal Creek and the Sewer Districts recommend that the Charter not be amended to alter the RWQC's membership with regard to the Sewer Districts, and strongly oppose any proposal to grant a voting position on the RWQC to Snohomish County.

The Washington statute providing for metropolitan municipal corporations does not authorize giving another county representation and authority in King County's legislative process (Chap. 35.58 RCW).

Service to Snohomish County constitutes nothing more than a contract negotiation; it does not make sense to give Snohomish County a vote on a committee that could make recommendations to the King County Council on matters to negotiate with Snohomish County.

Contrary to previous assertions to the Regional Government Committee, sewer service in the sewer districts is NOT decreasing. In fact, sewer districts in King County currently serve a population of approximately 450,000 people, represented by approximately 146,000 connections and 175,000 equivalent residential units (ERUs). That number is projected to significantly increase in the next 20 years. [PSRC Draft Vision 2040]. By contrast, Snohomish County is currently under contract for 5% or less of King County's current service and may only be 9% in 2030 by DNRP projections.

Reducing sewer district representation to only one position and vote is contrary to the Charter Preamble to "enable effective citizen representation," would shift the "senatorial" balance of power and representation on the RWQC and is contrary to the intent of KCC 270.20. The representatives from the Cities of Seattle, Bellevue and the Suburban Cities Association also opposed the reduction of sewer district representation in their testimony at the November 5 Committee meeting.

However, while we recommend against adding a Snohomish County representative to the RWQC because it is not appropriate to allow Snohomish County to participate in King County's legislative process; we are not opposed to adding a Snohomish County representative to the RWQC only in a non-voting capacity.

Further, given the reduction of the King County Council from 13 to 9, we support maintaining the current committee position representation of the City of Seattle (2), the Suburban Cities (2) and Sewer Districts (2) and consider reducing the county council representation from 6 to 3 as suggested by Councilmember Larry Phillips (October 1, 2007 Regional Governance Subcommittee meeting minutes). This position is also advocated by members of the RWQC, including the Cities of Seattle, Bellevue and the Suburban Cities Association.

All King County Sewer Districts should be represented on the RWQC. Finally, with respect to county-wide Sewer District representation on the RWQC, sewer district representatives should not be limited to the area only served by the county wastewater system. KCC 270.20 provides for the representation of sewer districts "in the county." Further, each regional committee is empowered to "develop, review and recommend ordinances and motions adopting, repealing or amending county-wide policies and plans relating to the subject matter area for which a regional committee has been established" [KCC 270.30 "Powers and Duties", emphasis added] and the County must approve all sewer districts' comprehensive plans, which must be consistent with county regulations, regardless of whether they have a wastewater contract with the county or not. We support maintaining the current Charter language with respect to selection of special district representation.

Thank you for your thoughtful consideration of these positions.

Sincerely,

Tom Peadon
General Manager
Coal Creek Utility District



Richard Conlin
Seattle City Councilmember

December 4, 2007

Doreen Cato & Bryan Glynn, Co-Chairs
King County Charter Review Commission Regional Governance Committee
Office of King County Executive Ron Sims
Attn: Mark Yango
701 5th Avenue, Suite 3210
Seattle, Washington 98104

Dear Ms. Cato and Mr. Glynn:



Thank you for soliciting comments on the provisions in the King County Charter for the Regional Policy Committee, Regional Transit Committee and Regional Water Quality Committee.

I would respectfully ask the Charter Review Commission to propose Charter amendments that would take these three regional committees in one of two directions: Either give them significant decision making authority or reform them into purely advisory committees. Currently the regional committees are poorly structured for either decision making or advising.

The only significant authority the regional committees have today comes from the requirement that the County Council have six votes rather than five to adopt a policy or plan that differs from a regional committee recommendation. This matters only when exactly five County Councilmembers disagree with the regional committee majority. It would be interesting to know often this requirement has allowed a regional committee to prevail over a bare Council majority. One thing making this unlikely is that between two and five members of the bare majority will also be members of the regional committee. Calling this arrangement power sharing seems like a stretch.

A better model of power sharing would be Seattle's Regional Water System Operating Board. This board includes three members representing Seattle, three representing wholesale water customers and a seventh member selected by the other six. By contract with wholesale customers, the board has direct authority over the allocation of new regional project costs, issuance of bonds, criteria for new supply sources, new supply cost allocation, financial reserves, water supply contingency plans, water conservation goals, conservation incentive programs,

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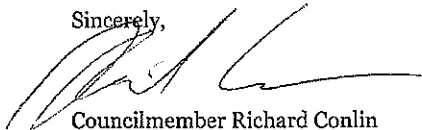
new treatment cost allocation, flushing allowances and transmission cost allocation. It also reviews and makes recommendations to the Water Superintendent and City Council on many other aspects of water system operations.

If on the other hand the regional committees are intended to be only advisory, the question is why they include County Councilmembers. Normally advisory committees are created so that decision makers can hear the advice of other stakeholders. In the regional committees the County Council is hearing half from itself. Further, because the committee agendas are set by the County Councilmember chairs and the committee's information comes through staff who work for the County Council, the subjects and content of the advice are largely controlled by those who are supposed to be seeking it. Thus any legitimacy the committees currently provide to Council decisions is superficial.

There may be a good role for County Councilmembers on regional advisory committees in representing the residents of unincorporated areas, but this should be in proportion to the size of the unincorporated population that is affected by each committee's scope. I agree with the direction of Mayor Nickels' recommendations on the reduction the County Council desires in its membership on the committees. I also agree with his recommendations on expanding representation to Bellevue and, with respect to the Regional Water Quality Committee, to Snohomish County sewer districts served by King County's treatment system. These would certainly be improvements if the committees' authority remains as today or if they become purely advisory, and also if the committees are given some genuine authority.

Thank you for your attention. I would be happy to discuss any of these points with you at your convenience. I look forward to hearing the Commission's recommendations on these topics.

Sincerely,



Councilmember Richard Conlin
Seattle City Council

cc: Mayor Greg Nickels
Seattle City Councilmembers



Gregory J. Nickels
Mayor of Seattle

December 5, 2007

Bryan Glynn and Doreen Cato
Co-Chairs, Regional Governance Committee
King County Charter Review Commission
701 5th Avenue Suite 3210
Seattle WA 98104

Dear Co-Chairs ^{Bryan} Glynn and Cato:

I want to thank the Regional Governance Subcommittee for the opportunity to express the City of Seattle's opinions regarding potential amendments to the King County Charter concerning the County's regional committees.

As we review the structure and the operation of the regional committees, it is important to remember the history and purpose of their creation. The elimination of the Metro Council in 1993 displaced cities' voices and votes on important regional issues including transit and waste water treatment but also Metro's latent powers. As one of the prime architects of the merger proposal, I can tell you it was our intent that the regional committees act as an alternate governance structure, requiring the County to share power with cities and other municipal agencies in its decision-making on regional transit, water quality and other regional services. It was our belief that King County would be most effective as a regional government not by compelling cities but rather through convening cities around regional issues.

It is fair to say that the success in providing a meaningful voice to cities through these committees has been mixed. It is important that changes to the Charter and the committee structure should seek to strengthen cities' voices on important regional issues. Recognizing the complexity of these issues addressed by the regional committees, modifications to the current structure should seek to make the discussions and input from the Regional Committees more meaningful. This will support the original intent to provide cities a forum to have a "voice and a vote".

Reduction of County Councilmembers on Regional Committees

I understand the expressed concern of the King County Council (Council) regarding their membership on the regional committees. The problem of being

spread "too thinly" to effectively serve on the regional committees can be a challenge given the reduction of the Council from 13 to 9 members. This reduction was not reciprocated by a reduction in the number of committees on which they serve. As the Council looks to remedy this challenge, I recommend consideration of the following options:

- 1) Reduce the County Council membership on each Regional Committee from the current six. However, I oppose a commensurate reduction in cities' representation. The number of seats for cities should reflect the growth in the incorporated population, and again, should be the place for cities to provide input on regional issues that then go before the County Council. I support the City of Bellevue's proposal of 3 seats for the County, 3 seats for Seattle, 1 seat for Bellevue, and 6 seats for suburban jurisdictions chosen by the method currently laid out in the Charter.
- 2) An alternative solution would be to simply stagger the meeting times of the Regional Committees so that there is only one Regional Committee meeting per month. In this option, Bellevue should still be given a seat at the table.

Expansion of Representation

The Regional Committees were designed to be a place where all cities could have a voice on regional issues. Given the large incorporated population growth in the region, we believe it is important that the City of Bellevue, as the second largest city in King County, should have a seat on the regional committees. Their membership should be additive to Seattle and the suburban jurisdictions representation.

Water/Sewer Districts are already at the table at the Regional Water Quality Committee. It would be appropriate to add a representative of Snohomish County sewer districts that are wholesale customers of King County.

The issue of tribal representation on the regional committees has been raised through this process. I return again to the historical intent of the regional committees as a means of providing a voice for cities and water/sewer districts. I would note that Tribal governments have a specific federal recognition and relationship and as sovereign governments are more akin to states, as opposed to those of local governments, that are clearly subdivisions of the state. At least four treaty tribes, and likely more, consider all or parts of King County their usual and accustom areas. How would their representation work? It seems that the question of official tribal representation needs more thought.

Committee Operations

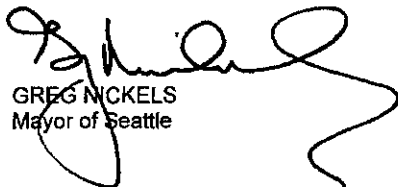
The current structure where a King County Councilmember acts as the chair or vice-chair of a Regional Committee should be modified to allow the committees to choose their own chair and vice chair.

Clarify the responsibility of the committees to allow them to develop their own work program and to advise the Council on policies, plans and levels of service. The changes should make clear that committees should also be able to request and receive reports on the status and implementation of policies, plans and changes in levels of service.

I join other cities in the suggestion that the charter be amended to allow regional committees, by majority vote, to initiate motions and ordinances that the full Council must consider and bring to a vote. The subject matter of these motions or ordinances would have to be within the "policies, plans and levels of service" bounds of the committee's authority. The Council would remain the arbiter of the question of whether the committee's proposal is within their authority.

Again, thank you for the opportunity to comment. If you have any questions please contact me or our Regional Government Liaison, Mian Rice, at 206-684-5784.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Lois North, Co-Chair - King County Charter Review Commission
Mike Lowry, Co-Chair - King County Charter Review Commission
Honorable Members of the Seattle City Council



Seattle City Council

December 17, 2007

Doreen Cato & Bryan Glynn, Co-Chairs
King County Charter Review Commission Regional Governance Committee
Office of King County Executive Ron Sims
Attn: Mark Yango
701 5th Avenue, Suite 3210
Seattle, Washington 98104

Dear Ms. Cato and Mr. Glynn:

Thank you for soliciting comments on the provisions in the King County Charter for the Regional Policy Committee, Regional Transit Committee and Regional Water Quality Committee. You have already received a December 4 letter from Richard Conlin on this topic. The purpose of this letter is to add the voice of other Councilmembers to the letter from Councilmember Conlin.

We respectfully ask the Charter Review Commission to propose Charter amendments that would take these three regional committees in one of two directions: Either give them significant decision making authority or reform them into purely advisory committees. Currently the regional committees are poorly structured for either decision making or advising.

The only significant authority the regional committees have today comes from the requirement that the County Council have six votes rather than five to adopt a policy or plan that differs from a regional committee recommendation. This matters only when exactly five County Councilmembers disagree with the regional committee majority. It would be interesting to know often this requirement has allowed a regional committee to prevail over a bare Council majority. One thing making this unlikely is that between two and five members of the bare majority will also be members of the regional committee. Calling this arrangement power sharing seems like a stretch.

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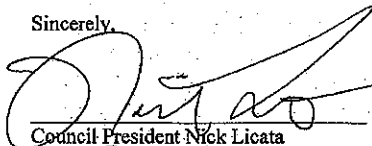
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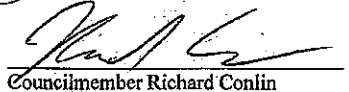
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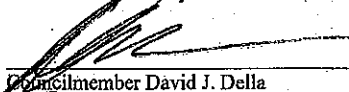
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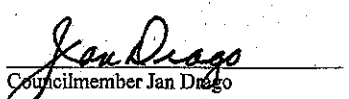
Sincerely,


Council President Nick Licata

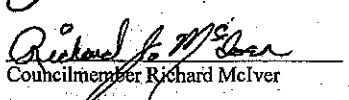

Councilmember Sally J. Clark


Councilmember Richard Conlin


Councilmember David J. Della


Councilmember Jan Drago


Councilmember Jean Godden


Councilmember Richard McIver

cc: Mayor Greg Nickels

encl.: Letter from Mayor Nickels to Doreen Cato and Bryan Glynn, 12/5/07